

Message Text

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ORIGIN EB-08

INFO OCT-01 ISO-00 CAB-02 CIAE-00 COME-00 DODE-00
DOTE-00 INR-10 NSAE-00 FAA-00 L-03 ARA-10 /034 R

DRAFTED BY EB/OA/AVP:JSGRAVATT:PMA
APPROVED BY EB/OA/AVP:AJWHITE
FAA:JHSHAFFER
ARA/ECA:SMYLES

-----021371 311609Z /43

R 311309Z MAY 78
FM SECSTATE WASHDC
TO AMEMBASSY BRASILIA
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

LIMITED OFFICIAL USE STATE 137105

E.O. 11652: N/A

TAGS: EAIR, BR

SUBJECT: RECENT PRESS COMMENTS ON BANDEIRANTE
CERTIFICATION

REF: BRASILIA 4022

IN ANSWER TO LAST PARA. OF REFTEL THE DEPT HAS
OBTAINED THE FOLLOWING INFORMATION FOR THE EMBASSY FROM
FAA REGARDING THE PRECISE LIMITS OF AIR TAXI OPERATIONS
THAT WOULD BE CERTIFIABLE UNDER FAR 23 PLUS SPECIAL
CONDITIONS:

1. FEDERAL AVIATION REGULATION (FAR) PART 135 APPLIES
TO:

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(A) AIR TAXI OPERATIONS CONDUCTED UNDER THE EXEMPTION
AUTHORITY OF CAB REGULATION 298;

(B) TRANSPORT OF MAIL BY AIRCRAFT CONDUCTED UNDER A
"STAR ROUTE" CONTRACT AWARD;

(C) THE CARRYING IN AIR COMMERCE BY ANY PERSON OTHER

THAN AN AIR CARRIER, OF PERSONS OR PROPERTY FOR COMPENSATION OR HIRE (COMMERCIAL OPERATIONS) IN SMALL AIRCRAFT;

2. PART 135.144 STATES THAT NO PERSON MAY OPERATE A RECIPROCATING OR TURBO-PROPELLER POWERED SMALL AIRPLANE IN 135 OPERATIONS THAT HAS A PASSENGER SEATING CAPACITY, EXCLUDING ANY PILOT SEAT, OF TEN OR MORE SEATS UNLESS THAT AIRCRAFT IS TYPE CERTIFICATED:

(A) IN THE TRANSPORT (I.E. PART 25) CATEGORY;

(B) BEFORE JULY 19, 1970 IN THE NORMAL (I.E. FAR 23) CATEGORY AND MEETS SPECIAL CONDITIONS ISSUED BY THE ADMINISTRATOR FOR AIRPLANES INTENDED FOR USE IN PART 135 OPERATIONS;

(C) BEFORE JULY 1, 1970 IN THE NORMAL CATEGORY AND MEETS THE ADDITIONAL AIRWORTHINESS STANDARDS IN SFAR NO. 23; OR

(D) IN THE NORMAL CATEGORY (I.E. FAR 23) AND MEETS THE ADDITIONAL AIRWORTHINESS STANDARDS PRESCRIBED IN APPENDIX A OF PART 135. (WHICH OUTLINES ADDITIONAL AIRWORTHINESS STANDARDS OVER AND ABOVE FAR 23).

3. IF ADOPTED, FAA NOTICE OF PROPOSED RULEMAKING LIMITED OFFICIAL USE

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77-17 WOULD PROHIBIT INTRODUCTION OF ANY AIRCRAFT SEATING TEN OR MORE PASSENGERS INTO PART 135 OPERATIONS AFTER AUGUST 19, 1977 UNLESS IT MEETS FAR 25 TRANSPORT CATEGORY STANDARDS. SO-CALLED COMMUTER AIRLINES ARE COVERED BY PART 135. AIR CARRIERS SUCH AS TWA, UNITED, ETC. ARE COVERED BY THE OPERATING RULES OF PART 121. VANCE

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Message Attributes

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